

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Dennis A. Cornell, Acting Presiding Justice; Honorable Gene M. Gomes, Associate Justice; Honorable Betty L. Dawson, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Joe G. Lopez, Senior Deputy Clerk.

**F042634 Simmons v. Simmons**

Cause called and argued by Constance E. Roberts, Esq., counsel for appellant and by Robert J. Rosati, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Thursday, May 13, 2004 at 10:00 A.M.

**F041288 People v. Sepeda**

The judgment is affirmed. The trial court is directed to correct the abstract of judgment to reflect in space 8 the total time of appellant's term as four years four months and thereupon provide a copy of the amended abstract to all appropriate parties. Harris, Acting P.J.

We concur: Cornell, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F043488 People v. Graham**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**F043488      People v. Graham**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F041746      Ayala v. Kern County Environmental Health Services**

The judgment is affirmed. EHS is awarded costs on appeal.  
Buckley, J.

We concur: Vartabedian, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F041682      Yoshida v. Anderson**

The judgment with respect to the damages award is reversed. The matter is remanded to the trial court for a new trial on the issue of damages. In all other respects, the judgment is affirmed. Costs are awarded to defendant. Wiseman, J.

We concur: Harris, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F043381      Estate of H.V. Perry, Deceased**

No brief having been filed by appellant after notice duly given under rule 17(a)(1) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F044403      In re Maria C., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F044403      In re Maria C., a Minor**

The order terminating parental rights is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F041704      People v. Ornelas**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F041704      People v. Ornelas**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044719      People v. Bakich**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.